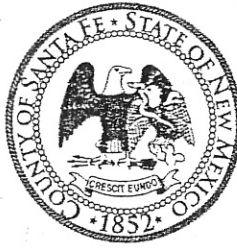


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

CASE NO. S15-5052

UNIVEST-RANCHO VIEJO LA ENTRADA PHASE I, SUB-PHASE 2 FINAL PLAT

UNIVEST-RANCHO VIEJO LLC, APPLICANTS

JESSICA LAWRENCE, AGENT

ORDER

THIS MATTER came before the Board of County Commissioners (BCC) for hearing on November 13, 2018, on the Application of Univest-Rancho Viejo LLC, (Applicant) and Jessica Lawrence (Agent) for Final Plat approval of La Entrada residential subdivision Phase 1, Sub-phase 2 to create 24 residential lots within a previously approved 404 lot residential subdivision. The BCC, having reviewed the Application, supplemental materials, staff reports, and having conducted a public hearing, finds that the Application is well taken and should be granted subject to conditions, and makes the following findings of fact and conclusions of law:

I. Background

1. The Applicants request Final Plat approval of Sub-phase 2 of the La Entrada Residential Subdivision to create 24 residential lots. [Exhibit 1 to Staff Report, 5; Exhibit 2 to Staff Report, 7-11]
2. The Subdivision is located within the Santa Fe Community College District Planned Development District, on Camino Cerro Escondido and Via Orilla Dorado, within Sections 19 & 20, Township 16 N Range 9E. [Staff Report, 1]
3. On March 9, 2006, the Extraterritorial Zoning Commission (EZC) recommended

Master Plan approval for Rancho Viejo Village West, a mixed use development consisting of 1,250 residential units and 117,250 sq. ft. of commercial space on 668 acres to be developed in 3 phases within Ranch Viejo.

4. On April 11, 2006, the Board of County Commissioners (BCC) granted Master Plan Approval for Rancho Viejo Village West. [Exhibit 3 to Staff Report, 12-31]

5. On September 12, 2006, the BCC approved the Development Plan, Preliminary Plat, and Final Plat for La Entrada Subdivision Phase 1, which was part of Rancho Village West, consisting of 456 residential lots with a Commercial Community Center, on 249 acres in accordance with the approved Master Plan and Variance to allow a Cul-de-sac road exceeding 300 feet. [Exhibit 4 to Staff Report, 32-44]

6. On June 10, 2014, the BCC approved partial vacation of the Final Plat for La Entrada Phase 1 to vacate a platted Archaeological Easement located within the subdivision. [Exhibit 5 to Staff Report, 45-50]

7. On June 9, 2015, the BCC approved a Preliminary Plat, Final Plat and Development Plan Amendment for La Entrada Phase 1 to reduce the number of lots from 456 lots to 404, an increase of undeveloped open space from 139.78 acres to 146.36 acres, an increase of developed open space from 5.69 acres to 7.87 acres, and a reduction of the private park area from 4.13 acres to 3.94 acres. The approval included the removal and realignment of several roads within the subdivision. [Exhibit 6 to Staff Report, 51-54]

8. On November 10, 2015, the BCC approved an amendment to the Master Plan, Preliminary Plat, Final Plat and Development Plan to sub-phase the previously approved La Entrada Residential Subdivision Phase 1 into four (4) sub-phases. [Exhibit 7 to Staff Report, 55-56]

II. Applicable Provisions of the SLDC

9. The applicable requirements under the Santa Fe County Sustainable Land

Development Code (SLDC), Santa Fe County Ordinance No. 2016-9, (Code) which governs this Application are:

a. Chapter 5, Section 5.7.12, Preliminary Plat, Phased Development of the Santa Fe County Sustainable Land Development Code (SLDC) states;

The Board may approve a sectionalized phasing plan extending the effective period of the preliminary plat approval where it is the intent of the applicant to proceed to a final plat covering only a section or phase of the site at any one time. Each filing of a final plat shall extend the expiration of the approved or conditionally approved preliminary plat for an additional thirty-six (36) months from the date of its expiration or the date of the previously filed plat, whichever is later. Once a preliminary plat has expired, the phased preliminary plat approval development order shall be null and void.

b. Chapter 5, Section 5.8.1, Final Plat, When Required, states:

Final plat approval is required for all subdivisions, both major and minor. No final plat shall be recorded until a final plat has been approved as provided in this section, or in the case of a minor subdivision as approved in Section 5.6.

c. Chapter 5, Section 5.8.2, Application, states:

An Application for final plat approval shall be filed with the Administrator and include all information and submittals required by this Chapter. If the approved preliminary plat permitted phasing or sectionalizing, the application shall submit an application only for the phase(s) proposed.

d. Chapter 5, Section 5.8.3, Compliance with Preliminary Plat (Major Subdivisions), states:

The final plat for a major subdivision shall conform to the approved amended preliminary plat, including all conditions and mitigation requirements contained within the development order approving the preliminary plat. No deviation from the approved amended preliminary plat, together with all conditions and mitigation requirements, shall be authorized to be granted at final approval; any deviation from the development order granting the preliminary plat approval shall require an amendment.

III. The Public Hearing Process

9. In support of the Application, the Applicant's agent submitted a letter of request, a development plan report including proof of legal lot of record and proof of ownership, a development plan set of drawings, and survey plat. The Applicant authorized Jessica Lawrence

(Agent) to act on behalf of Univest-Rancho Viejo LLC in making application for the La Entrada Phase 1 residential subdivision Sup-phase 2. [Exhibit 1 to Staff Report, 5-6; Exhibit 2 to Staff Report, 7-11]

10. Notice requirements were met as per Chapter 4, Section 4.6.5, of the Santa Fe County Sustainable Land Development Code (SLDC). In advance of a hearing on the Application, the Applicant provided a certification of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one (21) days on the property, beginning on October 16, 2018. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on October 23, 2018, as evidenced by a copy of that legal notice contained in the record.

11. At the public hearing before the BCC on November 13, 2018, staff recommended Final Plat Approval per Chapter 5, Section 3.8, Final Plat, of Ordinance No. 2016-9, the Santa Fe County Sustainable Land Development Code for Sub-phase 2, which consists of 24 lots on 6.2 acres, subject to the following conditions:

a) Compliance with all conditions of the approved Master Plan, Preliminary Plat, Final Plat and Development Plan.

b) Each sub-phase of the Final Plat and Development Plan must be recorded in the Office of the County Clerk. The recordation of the plat shall extend the Preliminary Plat for three (3) years per Chapter 5, Section 5.7.12 of the SLDC.

IV. Compliance with the SLDC

12. The project lies within the Village Zone/New Community Center Zone of the Community College District. Residential Density of Village Zones including any new Community Center, Neighborhood Centers and Neighborhoods contained within the zone is 3.5 dwelling units per acre minimum. The Applicant's proposal is 3.62 dwelling units per acre.

13. In support of the Application, the Agent stated that the Applicant is in agreement

with all conditions.

V. Public Comment

14. At the public hearing no one from the public spoke either in support or opposition to the Application.

VI. Conclusions of Law

15. The Application for Final Plat for Sub-phase 2 of Phase 1 of La Entrada was complete and substantially conforms to the Preliminary Plat approved on September 12, 2006, as amended by the BCC on June 9, 2015 and February 2, 2016, and the Applicant agrees to comply with all conditions of the approved Master Plan, Preliminary Plat and Final Plat and Development Plan. Therefore, pursuant to Chapter 5, Section 5.8.6.3 of the SLDC, the BCC should approve the Final Plat for Sub-phase 2 of Phase 1 of La Entrada.

WHEREFORE, the Board of County Commissioners of Santa Fe County hereby approves the Final Plat for Sub-phase 2 of Phase 1 of the La Entrada Residential Subdivision to create 24 residential lots on 6.2 acres, with the following conditions:

1. Compliance with all conditions of the approved Master Plan, Preliminary Plat, Final Plat and Development Plan, including the conditions imposed on all amendments.

2. Each sub-phase of the Final Plat and Development Plan must be recorded in the Office of the County Clerk. The recordation of the plat shall extend the Preliminary Plat for three (3) years per Chapter 5, Section 5.7.12 of the SLDC.

The motion to approve passed by unanimous 3-0 (Chair Hansen, Commissioner Hamilton and Commissioner Moreno) voice vote.

IT IS SO ORDERED:

This Order was approved by the Board of County Commissioners on this _____ day of _____, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Anna T. Hamilton, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Bruce Frederick, County Attorney

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 3, 6, 7 and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Not present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Not present

[The Commission met in executive session from 4:10 to 5:35.]

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: I'd like to move that we come out of executive session with the assurance that all we discussed in the executive session was that which was listed on the agenda and expressed by the County Attorney.

COMMISSIONER MORENO: I second the motion.

The motion passed by unanimous [3-0] voice vote. [Commissioner Anaya was present for this action.]

IX. PUBLIC HEARING

A. Land Use Cases

1. CDRC CASE # S 15-5052 Univest-Rancho Viejo La Entrada Subdivision Phase 1, Sub-Phase 2 Final Plat. Univest-Rancho Viejo, Applicant, Jessica Lawrence, Agent, Requests Final Plat Approval of Sub-Phase 2 of the La Entrada Residential Subdivision Phase 1 to Create 24 Residential Lots within A Previously Approved 404-Lot Residential Subdivision. The Property is Located within the Santa Fe Community College District Planned Development District, on Camino Cerro Escondido and Via Orilla Dorado, Within Sections 19 & 20, Township 16N Range 9E (Commission District 5)

VICENTE ARCHULETA (Case Manager): Thank you, Madam Chair. On April 11, 2006, the Board of County Commissioners granted Master Plan approval for Rancho Viejo Village West, for a mixed-use development consisting of 1,250 residential units and 117,250 square feet of commercial space on 668 acres to be developed in three phases within Rancho Viejo.

On September 12, 2006, the BCC approved the La Entrada Subdivision Phase 1, which was part of Rancho Viejo Village West. The BCC granted preliminary plat, final plat, and development plan approval of 456 residential lots within a commercial community center, on 249 acres with the approved master plan and variance to permit a

SFC CLERK RECORDED 12/14/2018

cul-de-sac road exceeding 300 feet.

On December 19, 2006, the plat for the southern portion of La Entrada Phase I consisting of 238 lots was recorded.

On June 10, 2014, the BCC approved the vacation of the platted archaeological easement located within La Entrada Phase 1 residential subdivision, which has been mitigated.

On June 9, 2015, the BCC approved the requested amendment to the preliminary plat, final plat, and development plan for La Entrada, Phase 1. The request was for a reduction in the number of lots from 456 lots to 404, an increase of undeveloped open space from 139.78 acres to 146.36 acres, an increase of developed open space from 5.69 acres to 7.87 acres, and a reduction of the private park area from 4.13 acres to 3.94 acres. In addition to the lot size changes the applicant requests the removal and realignment of several roads within the subdivision

On November 10, 2015, the BCC approved the request for the master plan, preliminary plat, final plat and development plan amendment to sub-phase the previously approved La Entrada Residential Subdivision Phase 1 into four sub-phases. Sub-phase 1 consisted of 58 lots. Sub-phase 2 will consist of 24 lots, Sub-phase 3 will consist of 35 lots and Sub-phase 4 will consist of 49 lots for a total of 166 lots. The final plat for La Entrada Phase 1, Sub-phase 1 was recorded on September 5, 2017 as Instrument No. 1833488.

The applicant now requests final plat approval per Chapter 5, Section 3.8, final plat, of Ordinance No. 2016-9, the Santa Fe County Sustainable Land Development Code for sub-phase 2, which consists of 24 lots on 6.2 acres.

Recommendation: Staff recommends approval of the amendment to the master plan, preliminary plat, final plat, and development plan of the La Entrada Phase 1 Subdivision subject to the following conditions:

1. Compliance with all conditions of approval of the Master Plan, the previous Preliminary Plat, Final Plat, and Development Plan.
2. Each Phase of the Final Plat and Development Plan must be recorded in the Office of the County Clerk.

The recordation of this plat shall extend the Preliminary Plat for three years per Chapter 5, Section 5.7.12.

Thank you, Madam Chair.

CHAIR HANSEN: Any questions? I want to open this up for public hearing. Is there anyone from the public that wishes to speak? I need to go to the applicant first.

KARL SOMMER: We don't have anything to add. We agree with the conditions of approval. We'd answer any questions you might have.

CHAIR HANSEN: Do you have any questions? Okay, the public hearing is still open. Is there anybody from the public who would like to speak? Seeing none, I'm closing the public hearing. What's the pleasure of the Board?

COMMISSIONER MORENO: Madam Chair, I would move approval of this project.

COMMISSIONER HAMILTON: Second.

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The motion passed by unanimous [3-0] voice vote.

VICKI LUCERO (Building & Development Supervisor): Madam Chair.

CHAIR HANSEN: Yes.

MS. LUCERO: Can I just get clarification; did that motion include the staff's recommended conditions?

COMMISSIONER MORENO: Yes.

MS. LUCERO: And also I just wanted to clarify that the request was for final plat approval for sub-phase 2.

COMMISSIONER MORENO: Yes.

MS. LUCERO: Thanks.

IX. A. 2. BCC CASE# APP 18-5071 Angelo Ortega, Appeal. TABLED

X. CONCLUDING BUSINESS

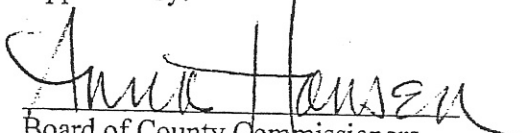
A. Announcements

CHAIR HANSEN: I just want to mention once again that I'm having a townhall tomorrow evening, November 14th, 6:00 pm at the Commons on 2300 W. Alameda. It will be addressing the Santa Fe Greenway and the river section between Frenchy's and Siler. Any other announcements?

B. Adjournment


Having completed the agenda and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 5:43 p.m.

Approved by:

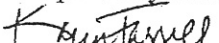

Board of County Commissioners
Anna Hansen, Chair



TEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

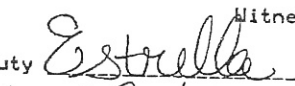

Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 73

I Hereby Certify That This Instrument Was Filed for
Record On The 14TH Day Of December, 2018 at 04:04:54 PM
And Was Duly Recorded as Instrument # 1875035
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/14/2018

